

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

GARY OSTER,

Plaintiff,

V.

HAROLD CLARKE, *et al*,

## Defendants.

Case No. C07-5508RJB-KLS

ORDER GRANTING  
APPLICATION TO PROCEED *IN  
FORMA PAUPERIS* AND  
DIRECTING INSTITUTION TO  
CALCULATE, COLLECT, AND  
FORWARD PAYMENTS

The Court, having reviewed plaintiff's application to proceed *in forma pauperis*, does hereby find and ORDER.

Plaintiff's declaration indicates he is unable to afford the Court's filing fee or give security therefor. Accordingly, plaintiff's application to proceed as a pauper is **GRANTED**. As set forth below, an initial partial filing fee will be collected, and plaintiff is required to make monthly payments of 20 percent of the preceding months income credited to his/her account until the full amount of the filing fee is satisfied.

Pursuant to 28 U.S.C. § 1915 and plaintiff's approved application to proceed *in forma pauperis*, the agency having custody of the above named plaintiff is directed to calculate an initial partial filing fee equal to 20 percent of greater of -- the average monthly deposits to the prisoner's account or the average monthly balance in the prisoner's account for the 6-month period immediately preceding the date of this Order. The initial partial filing fee should be forwarded to the Clerk as soon as practicable.

Subsequently, if the prisoner's account exceeds \$10.00, each month the agency is directed to collect and forward payments equal to 20 percent of the prisoner's preceding month's income credited to

1 the prisoner's account. In the event that the monthly payment would reduce the prisoner's account below  
2 \$10.00, the agency should collect and forward only that amount which would reduce the prisoner's  
3 account to the \$10.00 level. Please note that this \$10.00 limit does not apply to the initial partial filing fee  
4 described above. Finally, the monthly payments should be collected and forwarded to the court until the  
5 entire filing fee (\$350.00) for this matter has been paid.

6 The Clerk is directed to send plaintiff a copy of this Order and the General Order, and a copy of  
7 this Order along with a copy of plaintiff's Acknowledgement and Authorization portion of the IFP  
8 application to the attention of the inmate account manager (IFP account manager at the Department of  
9 Corrections).

10 DATED this 10th day of January, 2008.



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12 Karen L. Strombom  
13 United States Magistrate Judge  
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